

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

**IN RE:**

**TANYA BUSHELL  
162 MEADOW LANE #3  
JANE, MO 64856**

**CASE NO. 3:17-bk-01549  
CHAPTER 13  
JUDGE: WALKER**

**Debtor  
SSN: XXX-XX-9161**

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**THE DEADLINE FOR FILING A TIMELY RESPONSE IS: *October 30, 2018*. IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: *November 14, 2018, 8:30 A.M., Court Room 1, 2nd Floor Customs House, 701 Broadway, Nashville, TN 37203***

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**NOTICE OF MOTION TO MODIFY PLAN TO SUSPEND PAYMENTS**

The Debtor has asked the court for the following relief: **Debtor wishes to suspend her Chapter 13 plan payments for three months.**

**YOUR RIGHTS MAY BE AFFECTED.** If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before **October 30, 2018**, you or your attorney must:

1. File with the court your written response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1<sup>st</sup> Floor, Nashville, TN (Monday – Friday, 8:00 A.M. – 4:00 P.M.)

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by viewing the case on the court's web site at [www.tnmb.uscourts.gov](http://www.tnmb.uscourts.gov).

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: October 9, 2018

/s/ Mark Podis

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SSN: XXX-XX-9161**

**MOTION TO MODIFY PLAN TO SUSPEND PAYMENTS**

Comes now the Debtor, by and through the undersigned counsel, and respectfully moves this Court for an order suspending her plan payments to the Chapter 13 Trustee for a period of three months, and in support thereof would show the following:

1. Debtor's Chapter 13 plan was filed on March 8, 2017.
2. Debtor's Chapter 13 plan was confirmed by this Court on April 21, 2017.
3. Debtor has had no changes in income or expenses since previous budget, Debtor has been trying to find a job but has had no luck and is in need of another suspension at this time, in the event the Debtor becomes re-employed before the end of the suspension period Debtor will resume payments at that time.
4. Debtor's plan payment will increase to \$329.75 bi-weekly, plus tax refunds after the proposed suspension to ensure a 60-month plan conclusion.
5. In good faith, Debtor completed the Trustee's Financial Management Course on April 4, 2017.
6. The Debtor will forfeit her future Income Tax Refunds to the Chapter 13 Trustee for the remainder of her bankruptcy plan.
7. Debtor is also obligated to make all future payments in accordance with the confirmed Chapter 13 plan and should the Debtor fail to make any payment as

required, this case will be dismissed upon filing notice by the Trustee, without further hearing. In the event the Debtor becomes re-employed before the end of the suspension period Debtor will resume payments at that time

**STATEMENT OF IMPACT:**

The unsecured creditors will continue to receive a minimum dividend of 1% . Debtor's plan payments to the Chapter 13 Trustee shall be suspended for 3 months. Debtor's payment will increase to \$329.75 bi-weekly, after the proposed suspension to ensure a 60-month plan conclusion. Employer upon receipt of suspension order shall stop payroll deduction or any money remitted to the trustee by the employer shall be refunded by the trustee to the Debtor. Debtor is also obligated to make all future payments in accordance with the confirmed Chapter 13 plan and should the Debtor fail to make any payment as required, this case will be dismissed upon filing notice by the Trustee, without further hearing. The Debtor will forfeit her future Income Tax Refunds to the Chapter 13 Trustee for the remainder of her bankruptcy plan. In the event the Debtor becomes re-employed before the end of the suspension period Debtor will resume payments at that time

**WHEREFORE**, Debtor prays that:

1. Debtor's plan payments to the Chapter 13 Trustee be suspended for 3 months.
2. Employer upon receipt of suspension order shall stop payroll deduction or any money remitted to the trustee by the employer shall be refunded by the trustee to the Debtor.
3. The unsecured creditors will continue to receive a minimum dividend of 1%.
4. Debtor's plan payment will increase to \$329.75 bi-weekly, plus tax refunds after the proposed suspension to ensure a 60-month plan conclusion.

5. In the event the Debtor becomes re-employed before the end of the suspension period Debtor will resume payments at that time.
6. The Debtor will forfeit her future Income Tax Refunds to the Chapter 13 Trustee for the remainder of her bankruptcy plan.
7. Debtor is obligated to make all future payments in accordance with the confirmed Chapter 13 plan and should the Debtor fail to make any payment as required, this case will be dismissed upon filing notice by the Trustee, without further hearing.

Respectfully Submitted,

**/s/ Mark Podis**

Mark R. Podis, #012216

Attorney for Debtor

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been delivered to the U.S. Trustee, 701 Broadway, 318 Customs House, Nashville, TN 37203, and to the Chapter 13 Trustee, P.O. Box 340019, Nashville, TN 37203-0019, to the debtor, **Tanya Bushell, 162 Meadow Lane #3 Jane, MO 64856** on this 9<sup>th</sup> day of October, 2018. A total of 21 Copies have been sent via email CM/ECF <http://ecf.tnmb.uscourts.gov>.

/s/ Mark Podis

MARK R. PODIS

**A TOTAL OF 21 COPIES HAVE BEEN MAILED FIRST CLASS TO CREDITORS ON ATTACHED MATRIX**